#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Jeffrey Alan Warden et al.

Confirmation No. 1134

Application No.: 10/595,466

Group Art Unit:

Filed: April 21, 2006

Dry Powder Drug Containment System Packages With Tabs, Inhalers And

Associated Methods

Date: November 27, 2006

#### MAILSTOP PCT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

### RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

For:

In response to the September 28, 2006 Notification of Missing Requirements under 35 U.S.C. §371 in the United States Designated/Elected Office issued regarding the above-identified patent application, attached are:

- 1) an executed Declaration and Power of Attorney document (6 pages); and
- 2) a copy of the Notification;

The Commissioner is hereby authorized to charge the fee of \$65.00 to Deposit Account No 50-0220. This amount is believed to be correct. However, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No 50-0220.

Respectfully submitted,

Registration No. 40,142

Myers Bigel Sibley & Sajovec, P.A. P. O. Box 37428

Raleigh, North Carolina 27627 Telephone: (919) 854-1400 Facsimile: (919) 854-1401

Customer No. 20792

**CERTIFICATION OF TRANSMISSION** 

I hereby certify that this correspondence is being transmitted electronically to the U.S. Patent and Trademark Office on November 27, 2006.

Rosa Lee Brinson





## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE UNITED STATES DEFARIMENT OF COMMU United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

ATTY. DOCKET NO. FIRST NAMED APPLICANT U.S. APPLICATION NUMBER NO 9336-20 Jeffrey Alan Warden 10/595,466 INTERNATIONAL APPLICATION NO.

PCT/US04/35424

I.A. FILING DATE

PRIORITY DATE

20792 MYERS BIGEL SIBLEY & SAJOVEC PO BOX 37428 RALEIGH, NC 27627



**CONFIRMATION NO. 1134 371 FORMALITIES LETTER** \*OC000000020626204\*

Date Mailed: 09/28/2006

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/21/2006
- Copy of the International Search Report filed on 04/21/2006
- Preliminary Amendments filed on 04/21/2006
- Information Disclosure Statements filed on 04/21/2006
- Small Entity Statement filed on 04/21/2006
- U.S. Basic National Fees filed on 04/21/2006

10-02-06 A09:12 IM

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

• Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

### SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

### PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY, DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/595,466                  | PCT/US04/35424                | 9336-20          |

FORM PCT/DO/EO/905 (371 Formalities Notice)